NPT/CONF.2010/PC.III/WP.26

Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

6 May 2009

Original: English

Third session
New York, 4-15 May 2009

Working paper on forward-looking proposals of the European Union on all three pillars of the Treaty on the Non-Proliferation of Nuclear Weapons to be part of an action plan adopted by the 2010 Review Conference

1. The Treaty on the Non-Proliferation of Nuclear Weapons, based on the three mutually reinforcing pillars of non-proliferation, disarmament and the peaceful uses of nuclear energy, represents a unique and irreplaceable framework for maintaining and strengthening international peace, security and stability. Given the current challenges in the field of international security, in particular the risk of proliferation, we are convinced that the Treaty is more important now than ever. It is our duty to maintain and strengthen its authority and integrity, to continue to advocate its universality. To this end, the European Union will continue to promote all the objectives contained in the Treaty.

2. To achieve these goals, the European Union has elaborated a set of elements on all three pillars of the Treaty, to be part of an action plan adopted by the 2010 Review Conference.

Disarmament

3. The 27 Heads of State and Government of the European Union endorsed the following concrete and realistic disarmament initiatives in December 2008, as contained in the "Statement on strengthening international security" (quote):

(a) "The universal ratification of the Comprehensive Nuclear-Test-Ban Treaty; the completion of its verification regime; and the dismantling, as soon as possible, of all nuclear testing facilities in a manner that is transparent and open to the international community;

(b) The start, without delay and without preconditions, of negotiations for a treaty banning the production of fissile material for nuclear weapons and the introduction of an immediate moratorium on the production of such material;

(c) Establishment of transparency and confidence-building measures by the nuclear powers;

09-32759 (E)

Please recycle

(d) Further progress in the current discussions between the United States of America and Russian Federation on the development of a legally binding post-START arrangement and an overall reduction in the global stockpile of nuclear weapons in accordance with article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, in particular by the States that possess the largest arsenals;

(e) Inclusion of tactical nuclear weapons by those States which have them in their general arms control and disarmament processes, with a view to their reduction and elimination;

(f) Start of consultations on a treaty banning short- and intermediate-range ground-to-ground missiles;

(g) Adherence to and implementation by all of the Hague Code of Conduct against Ballistic Missile Proliferation;

(h) Mobilization in all other areas of disarmament."

(unquote).

4. The European Union hopes that all other States parties will join us in promoting these disarmament initiatives.

Non-proliferation

5. The European Union proposes a set of elements, which would significantly improve our collective capacity to tackle proliferation and strengthen the non-proliferation regime:

(a) Resolute action in response to proliferation crises, in particular in the Islamic Republic of Iran and the Democratic People's Republic of Korea;

(b) Determination of the consequences of a State's non-compliance with its non-proliferation obligations under the Treaty, in particular with its safeguards agreement, and of withdrawal from the Treaty, including suspension of nuclear cooperation and transfers;

(c) Promotion of the universalization of the Treaty;

(d) Universalization and strengthening of the International Atomic Energy Agency (IAEA) safeguards system, in particular through the universal adoption of the Additional Protocol, including technical updates of its annex II, and through reinforcing the State and regional systems of accountancy for and control of nuclear materials as well as the 2005 revised Small Quantities Protocol, where applicable;

(e) Improvement of nuclear security and of physical protection of nuclear materials, in accordance with the amended Convention on the Physical Protection of Nuclear Material, and the minimization, wherever technically and economically feasible, of the use of highly enriched uranium in peaceful nuclear activities, both with a view to preventing illicit trafficking and nuclear terrorism;

(f) Strengthening of export controls, including recognition of the Zangger Committee memorandums A and B as the minimal Treaty on the Non-Proliferation of Nuclear Weapons export controls for conducting nuclear trade, as well as border controls of nuclear material, equipment and technology, in particular of sensitive nuclear material, equipment and technology with proliferation potential, and

development of technical cooperation, assistance activities and information-sharing to this end;

(g) Cooperation to further develop multilateral schemes as viable and credible alternatives to the development of exclusively national enrichment and reprocessing capabilities;

(h) Adoption of national criminal sanctions against acts of proliferation and development of assistance to countries and to public and private actors, with a view to raising their awareness in this area;

(i) Resolute international and national efforts to combat proliferation financing;

(j) Adoption of measures to prevent intangible transfers of knowledge and know-how, including mechanisms of cooperation in terms of consular vigilance;

(k) Development of proliferation-resistant and safeguards-friendly technologies.

Peaceful uses of nuclear energy

6. The European Union calls on the international community to work to promote the following action plan with a view to ensuring a responsible development of peaceful uses of nuclear energy, in support of a successful Review Conference in 2010:

(a) Assisting countries to plan and assess their various energy needs;

(b) Assuring a responsible development of peaceful uses of nuclear energy in the best safety, security and non-proliferation conditions;

(c) Actively supporting efforts to further develop multilateral schemes that may offer a *credible* alternative to the development of national enrichment and reprocessing capabilities;

(d) Promoting the most stringent non-proliferation, nuclear safety and security standards and practices by assisting willing partners to set up the right regulatory, administrative and human environments;

(e) Encouraging countries that have not done so to join all relevant major nuclear conventions, in particular in the fields of nuclear safety, physical protection and civil nuclear liability;

(f) Promoting responsible management of spent fuel and nuclear waste, and assisting countries to plan waste management solutions, including regionally;

(g) Assisting countries to set up or to reinforce robust export control systems;

(h) Supporting IAEA assistance programmes and the IAEA nuclear security fund with funding and technical expertise;

(i) Supporting national, bilateral and international efforts to train the necessary skilled workforce required to ensure the responsible development of peaceful uses of nuclear energy under the best safety, security and non-proliferation conditions;

(j) In managing nuclear power programmes, Governments should seek to ensure the maximum appropriate transparency and access to information;

(k) Promoting health and agricultural nuclear applications, in particular the fight against cancer in the developing world, hydrological applications and helping developing countries to improve radio-protection.